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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,095	11/17/2003	Olli Oksanen	042933/269772	3257
826 7590 11/06/2008 ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER TAN, ALVIN H	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/715,095

**Applicant(s)**

OKSANEN ET AL.

**Examiner**

ALVIN H. TAN

**Art Unit**

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-5, 7-25, 27 and 29-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5, 7-25, 27, 29-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Remarks***

1. Claims 1, 3-5, 7-25, 27, and 29-41 have been examined and rejected. This Office action is responsive to the amendment filed on 8/6/08, which has been entered in the above identified application.

### ***Drawings***

2. The amendments to the specification to correct the drawings have been approved, and the objections to the drawings are withdrawn.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-5, 7-15, 17-25, 27, 29, 32-34, 37-39, 42-45, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothmuller et al (Pub. No. US 2003/0033296 A1), Lyness (U.S. Patent No. 6,496,842 B1), and Becker et al (U.S. Patent No. 6,337,694 B1).

**Claims 1, 3-5, 7-15, 17-21 (Computer Program Product)**

**Claim 22, 23, 32-34 (Apparatus)**

**Claim 24, 25, 27, 29, 37-39 (Method)**

4-1. Regarding claims 1, 22, and 24, Rothmuller teaches the claim comprising first instructions adapted to generate a media view that provides access to digital media files, by disclosing a method and apparatus for storing, cataloguing, managing, organizing, finding, and displaying objects such as digital images [paragraph 4].

Rothmuller teaches second instructions adapted to generate a timeline view comprising a scrolling time bar, the second instructions further adapted to provide the ability to browse for media files matching a chosen browse parameter, by disclosing a timeline [figure 3, '250'] having time bands that allow a user to navigate between certain periods of time such that photos are viewed based on the user's position within the timeline [paragraph 29; figures 1, 3]. Users can find photos according to timestamp as well as other metadata [paragraph 30].

Although Rothmuller discloses [figure 3] which appears to have arrows and a slider bar beneath timeline 250 indicating the current position within the timeline, Rothmuller does not expressly teach a media handle that provides the ability to browse media files in the media view generated by the computer program product by using the media handle and browsing the media files according to a manually-controlled speed of the browsing determined by the relative deviated position of the media handle from a centerline position of the scrolling time bar for the media handle. Lyness discloses displaying a return-to-center user interface control tool [column 3, lines 1-7, 10-22] for

navigating a set of information [*column 15, line 39 to column 16, line 51*]. The further the control tool is dragged from the rest position, the greater the emulated controller displacement [*column 14, lines 28-31*]. As shown in [*figure 16*], the control tool is centered below the information it is navigating. The control tool may be a scroller as shown in [*figure 15*]. This provides a smooth user interface control tool that allows for a variable rate of change which enhances the efficiency with which a user can operate the control. Since Rothmuller teaches a control for browsing media files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the GUI control with the variable rate of change feature, as taught by Lyness. This would provide a smooth user interface control tool that allows for a variable rate of change which enhances the efficiency with which a user can operate the control.

Rothmuller and Lyness do not expressly teach the second instructions further adapted to automatically decrease the manually-controlled speed of the browsing by computer program instruction control when a media file having the chosen browse parameter approaches or is in the media view. Becker teaches a method and system for variable speed scrolling of a viewable object within a data processing system [*column 1, lines 8-13*]. As viewable objects are scrolled on a display, the scroll speed is dynamically varied in response to the content of the viewed portion of the viewable object. The scroll speed can vary in response to the type of objects being displayed within the viewable object, such as described in [*column 2, lines 57-67; column 5, lines 44-56*]. This makes it easier for a user to locate a desired section of the viewable object [*column 2, lines 12-21; 32-37*]. Since Rothmuller and Lyness teach scrolling through

content, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include variable speed scrolling of a viewable object, as taught by Becker. This would make it easier for a user to locate a desired section of the viewable object.

As per claim 22, Rothmuller, Lyness, and Becker teach an input device in communication with the processing unit and adapted to control the deflection of the media handle, thereby manually controlling the speed of the browsing and defining the manually- controlled speed of the browsing, by disclosing using a mouse to control the GUI control [*Lyness, column 3, lines 1-10*].

Rothmuller, Lyness, and Becker teach a display in communication with the processing unit that presents a combined view of the media view and the media handle, by disclosing the display in [*Rothmuller, figure 1*] and [*Rothmuller, paragraph 41*].

4-2. Regarding claim 3, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the browse parameter is chosen from any combination of items of metadata associated with the media files, by disclosing searching for objects based on one or more tagged search criteria [*Rothmuller, paragraph 6*].

4-3. Regarding claim 4, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the browse parameter is chosen from one or more items of metadata associated with periods of time, by disclosing that search criteria may include data and time [*Rothmuller, paragraph 6*].

4-4. Regarding claims 5 and 27, Rothmuller, Lyness, and Becker teach the claim with respect to claim 3, wherein the item of metadata is chosen from the group consisting of time, media file type, media file size, media file bookmark, media file annotation, media file representation, media file title, media file name, topic, content, location, situation, preferences, contact information, names of people, names of electronic devices, technical information of electronic devices, items described in the media file and tables of content information, by disclosing a variety of search criteria may be used *[Rothmuller, paragraph 6]*.

4-5. Regarding claim 7, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the second instructions further includes instructions for decreasing the speed of the browsing in relation to the distance of the approaching media file and extent of a deviation of the media handle from the centerline position, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object *[Becker, column 2, lines 57-67; column 5, lines 44-56]* and based upon the amount of displacement of the GUI control from the normal, center position *[Lyness, column 14, lines 28-31]*.

4-6. Regarding claims 8, 32, and 37, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the second instructions further include instructions for increasing the speed of the browsing when a media file having the chosen browse

parameter bypasses the centerline position of a view generated by the computer program product, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*].

4-7. Regarding claim 9, Rothmuller, Lyness, and Becker teach the claim with respect to claim 8, wherein the second instructions further include instructions for increasing the speed of the browsing in relation to the distance of the bypassing media file and extent of a deviation of the media handle from the centerline position, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*] and based upon the amount of displacement of the GUI control from the normal, center position [*Lyness, column 14, lines 28-31*].

4-8. Regarding claims 10, 33, and 38, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the first instructions associate the digital media files with a period of time based upon information associated with the digital media file, by disclosing a timeline [*Rothmuller, paragraph 28*].

4-9. Regarding claim 11, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, further comprising third instructions for generating a calendar view that



represents time in calendar format and associates events with respective periods of time, by disclosing a calendar view [*Rothmuller, paragraph 9*].

4-10. Regarding claim 12, Rothmuller, Lyness, and Becker teach the claim with respect to claim 11, wherein the first instructions associates digital media files with a past period of time and wherein the third instructions associates events with respective future periods of time, by disclosing that metadata include past as well as recurring events [*Rothmuller, paragraph 25*]. Thus, the media view and calendar view may represent a past and future period of time.

4-11. Regarding claim 13, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the second instructions further include instructions for browsing the media items by stepping directly to the period of time including the media file having the chosen browse parameter, by disclosing displaying the best match of a search in an image area [*Rothmuller, paragraph 30*].

4-12. Regarding claim 14, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the second instructions further include instructions to browse a media view, a calendar view, and a time bar, by disclosing [*Rothmuller, figures 1,4*].

4-13. Regarding claim 15, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the second instructions further provide for a browsing step function

that is proportional to a movement of the media handle along a time bar, by disclosing varying scroll speed based upon the amount of displacement of the GUI control from the normal, center position [*Lyness, column 14, lines 28-31*].

4-14. Regarding claims 17-20, 25, 34, and 39, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1, wherein the second instructions further provide for a speed of browsing that is proportional to the distance that the media handle is deviated from the centerline position, that accelerates when the media handle is deviated a certain distance from the centerline position on the view of the computer program product, increasing the speed of browsing as the distance from the centerline position is increased, and decreasing the speed of browsing as the distance from the centerline position is decreased, by disclosing varying browse speed based upon the amount of displacement of the GUI control from the normal, center position [*Lyness, column 14, lines 28-31*].

4-15. Regarding claim 21, Rothmuller, Lyness, and Becker teach the claim with respect to claim 18, wherein the second instructions further include instructions for increasing the speed of the browsing when the media file having the chosen browse parameter bypasses the viewable area of the display, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*].

4-16. Regarding claim 23, Rothmuller, Lyness, and Becker teach the claim with respect to claim 22, wherein the computer-readable program instructions further comprising a third instructions adapted to generate a calendar view that represents time in calendar format, associates events with respective periods of time and is presented by the display in combination with the media view and media handle, by disclosing a calendar view [*Rothmuller, paragraph 9*].

4-17. Regarding claim 29, Rothmuller, Lyness, and Becker teach the claim with respect to claim 24, further comprising automatically increasing the manually-controlled browse speed of the media handle when desired media files are not within the media view, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*].

4-18. Regarding claims 30, 35, and 40, Rothmuller, Lyness, and Becker teach the claims with respect to claims 1, 22, and 24 respectively, wherein the second instructions further provide for stopping the browsing when the media handle is released, by disclosing scrolling based on the position of the user interface control from the center position [*Lyness, column 13, line 61 to column 14, line 23*].

4-19. Regarding claims 31, 35, and 41, Rothmuller, Lyness, and Becker teach the claims with respect to claims 30, 35, and 40 respectively, wherein the second instructions further provide for automatically returning the media handle to a rest

position corresponding to the centerline position when the media handle is released, by disclosing returning the user interface control to its rest position [*Lyness, column 14, lines 24-27*].

**Claims 42-45, 47**

4-20. Regarding claim 42, Rothmuller teaches the claim comprising a processing unit configured to access media files, wherein tile processing unit is further configured to generate a media view that provides access to digital media files and associates digital media files with a period of time, by disclosing a method and apparatus for storing, cataloguing, managing, organizing, finding, and displaying objects such as digital images [*paragraph 4*]. Objects may be searched based on date and time [*paragraph 6*].

Rothmuller teaches wherein the processing unit is further configured to generate a scrolling view that provides the ability to browse media files in the media view over several periods of time wherein the processing unit is further configured to provide the ability to browse for media files matching a chosen browse parameter, by disclosing a timeline [*figure 3, '250'*] having time bands that allow a user to navigate between certain periods of time such that photos are viewed based on the user's position within the timeline [*paragraph 29; figures 1, 3*]. Users can find photos according to timestamp as well as other metadata [*paragraph 30*].

Although Rothmuller discloses [*figure 3*] which appears to have arrows and a slider bar beneath timeline 250 indicating the current position within the timeline, Rothmuller does not expressly teach a scrolling view media handle that provides the

ability to browse media files in the media view over several periods of time by control of the media handle and according to a manually-controlled speed of the browsing determined by a relative deflected position of the media handle from a centerline position for the media handle. Lyness discloses displaying a return-to-center user interface control tool *[column 3, lines 1-7, 10-22]* for navigating a set of information *[column 15, line 39 to column 16, line 51]*. The further the control tool is dragged from the rest position, the greater the emulated controller displacement *[column 14, lines 28-31]*. As shown in *[figure 16]*, the control tool is centered below the information it is navigating. The control tool may be a scroller as shown in *[figure 15]*. This provides a smooth user interface control tool that allows for a variable rate of change which enhances the efficiency with which a user can operate the control. Since Rothmuller teaches a control for browsing media files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the GUI control with the variable rate of change feature, as taught by Lyness. This would provide a smooth user interface control tool that allows for a variable rate of change which enhances the efficiency with which a user can operate the control.

Rothmuller and Lyness do not expressly teach wherein the processing unit is further configured to automatically decrease the manually-controlled speed of the browsing by computer program instruction control when the application determines that a media file having the chosen browse parameter approaches or is in the media view. Becker teaches a method and system for variable speed scrolling of a viewable object within a data processing system *[column 1, lines 8-13]*. As viewable objects are scrolled

on a display, the scroll speed is dynamically varied in response to the content of the viewed portion of the viewable object. The scroll speed can vary in response to the type of objects being displayed within the viewable object, such as described in [*column 2, lines 57-67; column 5, lines 44-56*]. This makes it easier for a user to locate a desired section of the viewable object [*column 2, lines 12-21; 32-37*]. Since Rothmuller and Lyness teach scrolling through content, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include variable speed scrolling of a viewable object, as taught by Becker. This would make it easier for a user to locate a desired section of the viewable object.

4-21. Regarding claim 43, Rothmuller, Lyness, and Becker teach the claim with respect to claim 42, wherein the processing unit is further configured to receive control data from an input device to control the deflection of the media handle, thereby manually controlling the speed of the browsing and defining the manually-controlled speed of the browsing, and wherein the processing unit is further configured to adapt the speed of the browsing and define the manually-controlled speed of the browsing in correspondence with the control data received from the input device, by disclosing using a mouse to control the GUI control [*Lyness, column 3, lines 1-10*]. The speed is varied based upon the amount of displacement of the GUI control from the normal, center position [*Lyness, column 14, lines 28-31*].

4-22. Regarding claim 44, Rothmuller, Lyness, and Becker teach the claim with respect to claim 42, wherein the processing unit is further configured to automatically increase the speed of the browsing when a media file having the chosen browse parameter bypasses the centerline position of the media view, by disclosing that the speed is varied based upon the amount of displacement of the GUI control from the normal, center position [*Lyness, column 14, lines 28-31*].

4-23. Regarding claim 45, Rothmuller, Lyness, and Becker teach the claim with respect to claim 42, wherein the processing unit is further configured to continually increase the speed of the browsing as the relative distance of the media file having the chosen browse parameter to the period of time displayed in the media view increases based upon the period of time associated with the media file and the periods of time by which the browsing occurs, by disclosing dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*].

4-24. Regarding claim 47, Rothmuller, Lyness, and Becker teach the claim with respect to claim 42, wherein the processing unit is further configured to stop the browsing when the media handle is released and automatically return the media handle to a rest position corresponding to the centerline position when the media handle is released, by disclosing scrolling based on the position of the user interface control from the center

position [Lyness, column 13, line 61 to column 14, line 23] and returning the user interface control to its rest position [Lyness, column 14, lines 24-27].

5. Claims 16 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothmuller et al (Pub. No. US 2003/033296 A1), Lyness (U.S. Patent No. 6,496,842 B1), Becker et al (U.S. Patent No. 6,337,694 B1), and Davis et al (U.S. Patent No. 5,615,347).

#### **Claim 16**

5-1. Regarding claim 16, Rothmuller, Lyness, and Becker teach the claim with respect to claim 1. Rothmuller, Lyness, and Becker do not expressly teach wherein the second instructions further provide for generating a center mark on the media handle that indicates the period of time that is browsed to the centerline of the view of the computer program product. Davis discloses providing sliders on a screen for selecting a value [figure 2a]. As shown, the slider is made up of a triangular portion marking the center of the slider and the value currently pointed to [figure 2a]. Additionally, a line 102 may be displayed marking the center of the slider 60 [figure 2f]. Displaying a graphic marking the center of the slider allows the user to more precisely see the value currently being selected. Since Rothmuller, Lyness, and Becker teach using a GUI control to scroll between ranges of dates using scrollers [Lyness, figure 15], it would have been obvious to one of ordinary skill in the art at the time the invention was made to use display a



graphic marking the center point of the scroller, as taught by Davis. This allows the user to more precisely see the value currently being selected.

#### **Claim 46**

5-2. Regarding claim 46, Rothmuller, Lyness, and Becker teach the claim with respect to claim 42, wherein the processing unit is further configured to generate a center mark on the media handle that indicates the period of time that is browsed to a the centerline of the view of the computer program product. Davis discloses providing sliders on a screen for selecting a value [figure 2a]. As shown, the slider is made up of a triangular portion marking the center of the slider and the value currently pointed to [figure 2a]. Additionally, a line 102 may be displayed marking the center of the slider 60 [figure 2f]. Displaying a graphic marking the center of the slider allows the user to more precisely see the value currently being selected. Since Rothmuller, Lyness, and Becker teach using a GUI control to scroll between ranges of dates using scrollers [Lyness, figure 15], it would have been obvious to one of ordinary skill in the art at the time the invention was made to use display a graphic marking the center point of the scroller, as taught by Davis. This allows the user to more precisely see the value currently being selected.

#### ***Response to Arguments***

8. The Examiner acknowledges the Applicant's amendments to claims 1, 22, and 24 and the addition of claims 42-47. Regarding independent claims 1, 22, and 24, the Applicant alleges that Rothmuller et al (Pub. No. US 2003/033296 A1), Wynn et al (U.S.

Patent No. 6,515,687 B1), and Becker et al (U.S. Patent No. 6,337,694 B1), as described in the previous Office action, do not explicitly teach a media handle such that a deviated position of the media handle is relative to a centerline position *of the scrolling time bar*, as has been amended to the claims. Examiner has therefore rejected independent claims 1, 22, and 24 under 35 U.S.C § 103 as being unpatentable over Rothmuller, Lyness (U.S. Patent No. 6,496,842 B1), and Becker.

Regarding dependent claim 7, Applicant alleges that none of the prior art explicitly teaches "decreasing the speed of the browsing in relation to the distance of the *approaching* media file". Contrary to Applicant's arguments, Becker discloses dynamically varying scroll speed in response to the content of the viewed portion of the viewable object [*Becker, column 2, lines 57-67; column 5, lines 44-56*]. If the content is a graphical representation, the scrolling may proceed slower when more intricate sections are being displayed than when simple sections are displayed [*Becker, column 5, lines 57-66*]. Thus, the speed may vary based on the approaching file.

Regarding dependent claims 8, 32, and 37, Applicant alleges none of the prior art explicitly teaches "increasing the speed of the browsing when a media file having the chosen browse parameter *bypasses the centerline position of a view*". Contrary to Applicant's arguments, Becker discloses that if the content is a graphical representation, the scrolling may proceed slower when more intricate sections are being displayed than when simple sections are displayed [*Becker, column 5, lines 57-66*]. Thus, once the most important sections are passed the main viewing area represented by the centerline position of a view, the speed would increase.

Regarding dependent claim 16, Applicant alleges that Rothmuller, Wynn, Becker, and Rzepkowski et al (U.S. Patent No. 6,512,530 B1), do not explicitly teach "*generating a center mark on the media handle that indicates the period of time that is browsed to the centerline of the view of the computer program product*". Examiner has rejected claim 16 under 35 U.S.C § 103 as being unpatentable over Rothmuller, Lyness, Becker, and Davis et al (U.S. Patent No. 5,615,347). Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Regarding dependent claims 31, 36, and 41, Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Applicant states that dependent claims 3-5, 7-21, 23, 25, 27, and 29-41 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independently amended claims 1, 22, and 24. However, as discussed above, Rothmuller, Lyness, and Becker are considered to teach claims 1, 22, and 24, and consequently, claim(s) 3-5, 7-21, 23, 25, 27, and 29-41 are rejected.

### ***Conclusion***

9. The prior art made of record on attached form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R § 111(c) to consider these references fully when responding to this action. The documents cited therein teach similar systems for speed browsing of media items.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN H. TAN whose telephone number is (571)272-8595. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHT  
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